

AFFIDAVIT OF SERVICE

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

FILED ON: 1/4/2023

INDEX NO.: 1:23-CV-00004-EK-

DANIEL RODRIGUEZ, ON BEHALF OF HIMSELF AND ALL OTHERS SIMILARLY
SITUATED,

Plaintiff(s)-Petitioner(s)

DYNAMIGHTY DESIGN, INC.,

-vs-

Defendant(s)-Respondent(s)

STATE OF NEW YORK }
COUNTY OF SARATOGA } ss. }

I, Mark McClosky being duly sworn, deposes and says that deponent is over the age of eighteen years and is not a party in this proceeding and resides in the State of New York.

On MARCH 9, 2023 at 12:40 P.M.

Deponent served a true copy of **SUMMONS IN A CIVIL ACTION, CLASS ACTION COMPLAINT AND DEMAND FOR JURY TRIAL**

bearing index number: 1:23-CV-00004-EK-TAM and date of filing: 1/4/2023
upon **DYNAMIGHTY DESIGN, INC.**
at address: **SECRETARY OF STATE, 99 WASHINGTON AVENUE**
city and state: **ALBANY, NY 12231-0001**

MANNER OF SERVICE}

Personal

☐ By delivering to and leaving with personally }
known to the deponent to be the same person mentioned and described in the above proceeding as the person to be served.

Suitable Age Person

☐ By delivering to and leaving with personally }
at the premises which is recipient's actual place of business/usual place of abode. Such person knowing the person to be served
and associated with him/her, and after conversing with him/her, deponent believes him/her to be a suitable age and discretion.

Authorized Agent

☒ By delivering to and leaving 2 copies with } **SUE ZOUKY, BUSINESS DOCUMENT SPECIALIST**
the agent for service on the person in this proceeding designated under rule 306 BCL and tendering the required fee.
Service having been made to such person at the place, date and time above.

Affixing to Door, Etc.

☐ By affixing a true copy of each to the door of the actual place of business, dwelling place or usual place of abode stated above.
Deponent was unable with due diligence to find the proper or authorized person to be served, or a person of suitable age and
discretion at the actual place of business, dwelling place or usual place of abode stated above after having called there on the
following dates and times:

Mailing

☐ Deponent completed service by depositing a true copy of each in a postpaid, properly addressed envelope in an official depository
under the exclusive care and custody of the United States Postal Service. The package was labeled "Personal & Confidential"
and mailed to the person stated above at address
on . The envelope did not indicate on the outside that the communication was from an attorney or concerned an action
against the recipient. The envelope was mailed by ___first class mail ___certified mail ___registered mail ___return receipt requested.
Certified/Registered mail #

DESCRIPTION} deponent describes the person actually served as:

Sex: FEMALE Race/Skin Color: WHITE
Approximate Age: 60 years Approximate Height: 5'0"
Other:

Hair Color: GRAY
Approximate Weight: 125 pounds

Subscribed and sworn before me on } MARCH 9, 2023

Notary Public, State of New York
Karen E. Rock
Qualified in Schenectady County
Number 01R06065213
Expires: October 9, 2025

Stein Saks, PLLC
One University Plaza, Suite 620
Hackensack, NJ 07601
(201) 282-6500

Mark McClosky
Deponent

NLS #: 264745

FIRM FILE # 575116

Affidavit #: 23-1901